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Houston, TX 77056-6582  
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## FACSIMILE COVER SHEET

**DATE:** November 6, 2006  
**FILE NO:** ZIMR/0024  
**TO:** Commissioner for Patents  
**FAX NO:** (571) 273-8300  
**COMPANY:** USPTO  
**FROM:** Keith M. Tackett  
**PAGE(S) with cover:** 9  
**ORIGINAL TO FOLLOW?** ☐ YES ☒ NO

**REQUEST FOR CORRECTION OF ERROR ON FILING RECEIPT  
COPY OF FILING RECEIPT WITH CORRECTION NOTED  
COPY OF COMBINED DECLARATION AND POWER OF ATTORNEY AS FILED**

**TITLE:** APPARATUS AND METHOD FOR CONTROLLING THE BEAM  
CURRENT OF A CHARGED PARTICLE BEAM  
**U.S. SERIAL NO.:** 10/552,296  
**FILING DATE:** October 3, 2005  
**INVENTOR:** Josef Sellmaier  
**EXAMINER:** Unknown  
**GROUP ART UNIT:** 2881  
**CONFIRMATION NO.:** 2021

### CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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PATENT  
Atty. Dkt. No. ZIMR/0024

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Josef Sellmair

Serial No.: 10/552,296

Filed: October 3, 2005

Confirmation No.: 2021

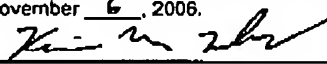
For: APPARATUS AND METHOD  
FOR CONTROLLING THE  
BEAM CURRENT OF A  
CHARGED PARTICLE BEAM

Group Art Unit: 2881

Examiner: Unknown

Office of Initial Patent Examination's Filing  
Receipt Corrections  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 CFR 1.8	
I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on November <u>6</u> , 2006.	
	
Signature	
Keith M. Tackett	
Typed or Printed Name	
32,008	(713) 623-4844
Registration No., if applicable	Telephone Number

## REQUEST FOR CORRECTION OF ERROR ON FILING RECEIPT

The Filing Receipt for the above-referenced application contains an error regarding the Power of Attorney. The Filing Receipt recites only one registered practitioner: "Keith Tackett--32008". It should read:

B. Todd Patterson--37906  
Keith M. Tackett--32008  
Douglas H. Elliott--32982  
William B. Patterson--34102  
Chance E. Hardie--55247

Attached is a copy of the Filing Receipt with the above change noted thereon. Please correct this error or notify the Applicants of the reasons for denying the request.

PATENT  
Atty. Dkt. No. ZIMR/0024

Also enclosed is a copy of the Combined Declaration and Power of Attorney as filed. Although Applicants believe that no fee is due, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/ZIMR/0024/KMT, for any fee required to make this request timely and acceptable to the Office.

Respectfully submitted,



---

Keith M. Tackett  
Registration No. 32,008  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd. Suite 1500  
Houston, TX 77056  
Telephone: (713) 623-4844  
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Attorney for Applicants

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UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/552,296	08/18/2006	2881	1080	ZIMR/0024	2	21	3

CONFIRMATION NO. 2021

B Todd Patterson  
Patterson & Sheridan  
Suite 1500  
3040 Post Oak Blvd  
Houston, TX 77056-6582

FILING RECEIPT



\*OC000000020662180\*

Date Mailed: 10/04/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Josef Sellmair, Freising, GERMANY;

Power of Attorney: B. Todd Patterson--37906  
Keith Tackett--32000 Keith M. Tackett--32008  
Douglas H. Ellinger--32982

William B. Patterson--34102  
Chance E. Hardie--55247

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/03329 03/29/2004

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03007685.5 04/03/2003

If Required, Foreign Filing License Granted: 09/30/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/552,296**

Projected Publication Date: 01/11/2007

Non-Publication Request: No

Early Publication Request: No

**Title****Apparatus and method for controlling the beam current of a charged particle beam****Preliminary Class****250****PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce Initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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**LICENSE FOR FOREIGN FILING UNDER****Title 35, United States Code, Section 184****Title 37, Code of Federal Regulations, 5.11 & 5.15****GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof

Page 3 of 3

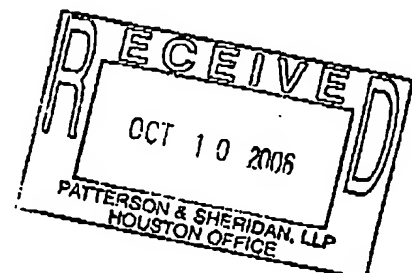
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The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

FILE NUMBER 21MP/0024  
FORWARDED TO JE/cet  
REVIEWED ONLY \_\_\_\_\_  
REVIEWED/DOCKETS ACT 10/11/06  
REVIEWED \_\_\_\_\_  
RECEIVED DATE \_\_\_\_\_



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Atty. Dkt. No. ZIMR/0024

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

**INVENTORSHIP IDENTIFICATION**

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**APPARATUS AND METHOD FOR CONTROLLING  
THE BEAM CURRENT OF A CHARGED PARTICLE BEAM****SPECIFICATION IDENTIFICATION**

The specification of which:

- ☐ is filed herewith
- ☐ was filed on \_\_\_\_\_, under Serial No. \_\_\_\_\_, executed on even date herewith; or
- ☐ Express Mail No. (as Serial No. not yet known) and was amended on \_\_\_\_\_ (if applicable)
- ☒ was described and claimed in PCT International Application No. PCT/EP2004/003329 filed on March 29, 2004.

**ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

- ☒ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

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## PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any provisional or foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any provisional or foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- ☐ No such applications have been filed.  
☒ Such applications have been filed as follows:

- A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 USC §119

<u>Country/PCT</u>	<u>Application Number</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

- B. All foreign application(s), if any, filed more than 12 mos. (6 mos. for design) prior to this U.S. application

<u>Country/PCT</u>	<u>Application Number</u>	<u>Filing Date</u>
EP	03007685.5	03-Apr-2003

- C. U.S. Provisional Application filed within 12 months prior to this application

<u>Serial Number</u>	<u>Filing Date</u>
----------------------	--------------------

## PRIORITY CLAIM (35 USC §120)

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

- ☐ No such applications have been filed.



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☒ Such applications have been filed, as follows:

<u>Serial Number</u>	<u>Filing Date</u>	<u>Patented</u>	<u>Pending</u>	<u>Abandoned</u>
PCT/EP2004/003329	29-March-2004	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**POWER OF ATTORNEY**

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

B. Todd Patterson	Registration No. 37,908
Keith M. Tackett	Registration No. 32,008
Douglas H. Elliott	Registration No. 32,982
William B. Patterson	Registration No. 34,102
Chance E. Hardie	Registration No. 55,247

Send correspondence and direct telephone calls to:

B. Todd Patterson  
PATTERSON & SHERIDAN, L.L.P.  
3040 Post Oak Blvd., Suite 1500  
Houston, TX 77056  
Telephone: 713/623-4844

**DECLARATION**

*I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.*

Full name of sole or first inventor: Josef SELLMAIR

Inventor's signature: Josef Sellmaier  
Residence: Freising, GERMANY  
Post Office Address: Spechtweg 34  
85356 Freising  
GERMANY

Date: 9. Jan. 2006

Country of Citizenship: DE

(Declaration ends with this page)